

*Remarks**35 USC § 112*

The 112 rejection is based on a citation to extrinsic evidence, i.e., an IEEE dictionary definition of one word. This fails to meet the burden for a prima facie 112 rejection. Applicant is entitled to be his own lexicographer, and has more than adequately defined the claim terms, demonstrated possession, and enabled the disclosed technology and invention to those of skill in the art. Cf., figure 3 and the accompanying text.

35 USC § 103

The prior art of record does not disclose, teach, suggest or motivate, or otherwise support an obviousness rejection of any of the currently pending claims. Accordingly, applicant requests prompt and favorable consideration of the amendments and new claims filed herewith.

In the interview the Examiners asked what structural limitations to the claims were recited by incorporating the word “slave” added by amendment to the existing claims. Applicant responded by quoting from the specification at page 1 generally, page 2 paragraph 16, page 3 paragraph 45, page 4 paragraphs 53-55, page 6 paragraph 81 and figures 3, 6 and 13. Specifically, applicant read from page 5, indicating that the slave uplinks did not need to have expensive database storage and retrieval software and did not need to have their own expensive control hardware and software. The Examiners acknowledge that prior art currently of record, including the Willis, Boyden and Rakib references do not appear to

disclose such structural limitations, or motivate or teach them, in their drawings. Of course, the Examiners further reserve the right to execute further searching.

It certainly appears that further searching has done nothing to adequately support a *prima facie* obviousness rejection of the pending claims' recitations of slave uplinks. Only the new Hendricks reference is cited to address that recited structure and it is inadequate according to its own express terms.

The Hendricks reference discloses identical multiple uplinks. This is precisely the old prior art that the development of inexpensive slave uplink control of the present invention improves upon. All the uplinks in the Hendricks reference are identical. To "distribute workload" as described in Hendricks, the reference teaches the heavy expense of using many identical, full capability uplinks. Hendricks states that *any* of the operations centers (having uplinks) may be designated as a master and others designated as slaves. In order that any of the uplinks may be the master, they must all have master uplink capabilities, and therefore have full hardware to enable serving as the master uplink. Accordingly, Hendricks actually teaches away from the claimed invention.

In short, a simple mention of the word "slave" in a satellite media distribution patent does not support the burden of establishing a *prima facie* obviousness rejection.

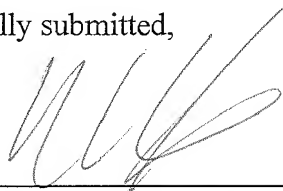
The previously existing claims (claims 8-79) by reciting a "slave" uplink were adequate to recite non-obvious and novel structure patentably distinct from the prior art of record. Applicant pointed out that applicant is entitled to be its own lexicographer. Accordingly, recitation of the term slave, which is discussed at length in the specification, by itself recites sufficient structure. However, in order that all possible issues be before the Examiner and be addressed in the next office action, applicant recited specific

structure for slave uplinks in new dependent claims 80-85. Moreover, claim 8 that does not recite slave uplinks is hereby cancelled, and new claim 86 added, that combines several of the limitation in claims 80-85.

Interview Requested

Applicant requests an interview to discuss possible amendments to gain allowance.

Respectfully submitted,



Robert C. Haldiman, Reg. No. 45,437
Husch Blackwell, LLP
190 Carondelet Plaza
St. Louis, MO 63105
314 480-1641
314-480-1505 FAX